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SEIKA INT' PATENT & TRADEMARK OFFICE

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7F, NO. 3, ALLEY 32, SEC. 6 CHUNG-HSIAO E. RD, TAIPEI.

SEIKA E-mail: cho0123@ms18.hinet.net TEL: (02) 2789-3700 FAX: (02) 2789-3701

Date: 9 August 2006

Examiner Lavinder, Jack W.

U.S. Patent and Trademark Office

Technology Center 3600

Art Unit 3677

Application/Control Number: 10/666,781/9010

Filing date: 09/22/2003 abandonment date: 06/13/2006

Tel: 703-308-3421, 703-306-4115 Fax: 571-273-8300

Dear Mr. Lavinder, Jack W:

The applicant received notice of abandonment dated 06/13/2006, it said that "a reply was received on 12/29/2006." In fact, the applicant faxed a reply on 12/22/2005 and then mailed the reply dated 12/29/2005. According to the Examiner's instruction, the applicant paid the required fee US\$ 60 petition for extension time for one month. Enclosed with the "notice of insufficient filing fees", the petition for extension of time under 37 CFR 1.136(a), and "Notice of Abandonment" for the Examiner's reference.

If allowable, the applicant hopes to revive the case as not have been abandoned, since this reply mailed to the USPTO dated 12/29/2005 not 2006, and the applicant have paid the extension time fee in first month according to the Examiner's instruction.

Best regards,

Sincerely Yours,

Tsaur, Chang-Wen

Tsaur, Chang-Wen

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Notice of Abandonment

Application No.

10/666,781

Examiner

Jack W. Lavinder

Applicant(s)

TSAUR, CHANG-WEN

Art Unit

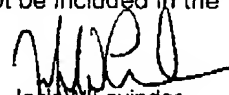
3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 22 August 2005.
 - (a) ☒ A reply was received on 12/29/2006 (with a Certificate of Mailing or Transmission dated ____), which is after the expiration of the period for reply (including a total extension of time of 1 month(s)) which expired on 22 December 2005.
 - (b) ☐ A proposed reply was received on ____ but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee) or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on ____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☐ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on ____ (with a Certificate of Mailing or Transmission dated ____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$ ____ is insufficient. A balance of \$ ____ is due.
The issue fee required by 37 CFR 1.18 is \$ _____. The publication fee, if required by 37 CFR 1.18(d), is \$ ____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on ____ (with a Certificate of Mailing or Transmission dated ____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on ____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☒ The reason(s) below:

Even if the proper extension of time was received, the proposed after final amendment would not have been entered because of the new issues being raised. Especially since independent claim 2 has not be included in the amendment.


Jack W. Lavinder
Primary Examiner
Art Unit: 3677

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.